

REMARKS

Claims 1-20 were pending and presented for examination and in this application. In an Office action dated November 2, 2005, claims 1-20 were rejected. Applicants thank Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

Applicants are amending claim 11 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In view of the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 USC 103(a) in View of Okano and Mauney

In the 2nd paragraph of the Office action, Examiner rejects claims 1, 13, and 16 under 35 USC § 103(a) as allegedly being unpatentable in view of U.S. Patent No. 6,763,238 to Okano ("Okano") and U.S. Patent No. 6,484,027 to Mauney ("Mauney"). This rejection is respectfully traversed.

Claim 1 specifically recites "a software enabled switch displayed on the device screen for enabling and disabling the radio unit." By providing a software enabled switch displayed on the device screen, rather than a physical switch on the keypad of the device, the radio unit of the device is controllable (i.e., enabled/disabled) through the device screen interface, which beneficially provides additional control flexibility and ease of use for operating the radio unit. Because the switch is not restricted to the keypad, it can be provided with

contextual information in a larger, easy to read viewing environment, reducing the likelihood that users operate the switch mistakenly, either caused by confusion of context or by pressing the unintended button. Claim 13 similarly recites a similar claimed feature and has similar benefits.

Okano, as Examiner correctly points out, does not disclose a software enabled switch displayed on the device screen for enabling and disabling the radio unit. Mauney, like Okano, also does not disclose such a switch displayed on the device screen. In contrast to the claimed invention, Mauney discloses a wireless handset that is capable of operating either within a wireless network (use as a cell phone), or in a direct handset-to-handset communication mode (use as a two-way radio or a walkie-talkie). The wireless handset comprises a transmitter/receiver and a keypad. (Mauney, Fig. 4A, col. 13, line 34 – col. 14, line 5). Examiner points to Fig. 4A and col. 13, line 34 – col. 14, line 5 of Mauney for teaching of the claimed element of the switch displayed on the device screen. However, the cited section of Mauney only discloses that “the keys of keypad 66 may also include ‘soft keys’ which provide multiple functionality depending on the operating state or mode of the handset.” The soft key disclosed by Mauney is a key of a keypad that plays different roles in different contexts, but is not a software enabled switch displayed on the device screen. Thus, Mauney does not disclose the claimed element of a software enabled switch displayed on the device screen for enabling and disabling the radio unit.

The combination of Okano and Mauney likewise fails to disclose or suggest the claimed switch displayed on the device screen. As discussed above, the claimed switch displayed on the device screen is not disclosed in either reference. Even if the two references

arguably could be combined, at best the combination provides a switch on the keypad for enabling and disabling the radio unit, which is conventional and not what Applicants claim.

Thus, alone or in combination, Okano and Mauney do not disclose the claimed switch displayed on the device screen for enabling and disabling the radio unit as recited in claims 1 and 13. As to the dependent claims 14 and 16, because claim 16 is dependent on claim 13, all arguments advanced above with respect to claim 13 are hereby incorporated so as to apply to claims 14 and 16.

Based on the above Remarks, Applicants respectfully submit that for at least these reasons claims 1, 13, 14, and 16 are patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

In the 2nd paragraph of the Office Action, Examiner rejects claims 2 and 14 under 35 USC § 103(a) as allegedly being unpatentable in view of Okano and Mauney. This rejection is respectfully traversed. Applicants note that claim 14 was addressed above.

Claim 2, referring to it recites “a notification program configured to notify a user if the radio is disabled upon invoking a program that utilizes the radio.” By providing a notification program, instead of enabling the radio unit or keeping it disabled upon invoking a program that utilizes the radio when the radio unit is disabled, the device notifies the user of such situation. As a result, the device provides the benefit of providing the user with timely notice so that the user can either stop the program utilizing the radio or enable the radio unit.

Okano, among other differences, does not disclose such a notification program. Rather, in contrast to the claimed invention, Okano discloses a method to temporarily suspend transmissions from the transmitting section of the device, without affecting other sections separate from the transmitting section. (Okano, col. 2, lines 1-41). Examiner points to col. 2, lines 12-16, col. 5, lines 52-56 of Okano for teaching of such a notification program. However, the cited section of Okano only discloses that the device displays a progress in the transmission-suspended period, and that the user can set the transmission-suspended period and terminate the transmission suspension. Okano does not disclose the claimed element of a notification program configured to notify a user if the radio is disabled upon invoking a program that utilizes the radio.

Similarly, Mauney, like Okano, does not teach or suggest the claimed element of a notification program configured to notify a user if the radio is disabled upon invoking a program that utilizes the radio. Thus, alone or in combination, Okano and Mauney do not disclose the claimed element of a notification program configured to notify a user if the radio is disabled upon invoking a program that utilizes the radio. Therefore, it is respectfully submitted that claim 2 is patentably distinguishable over Okano and Mauney.

Based on the above Remarks, Applicants respectfully submit that for at least these reasons claim 2 is patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

In the 2nd paragraph of the Office Action, Examiner rejects claims 3-5, 9, and 10 under 35 USC § 103(a) as allegedly being unpatentable in view of Okano and Mauney. This

rejection is respectfully traversed. Because claim 3 is dependent on claim 2, claims 4, 5, 9, and 10 are dependent on claim 1, all arguments advanced above with respect to claim 2 are hereby incorporated so as to apply to claim 3, and all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 4, 5, 9, and 10. Therefore, it is respectfully submitted that claims 3-5, 9, and 10 are patentably distinguishable over Okano and Mauney.

In the 2nd paragraph of the Office Action, Examiner rejects claims 11 and 12 under 35 USC § 103(a) as allegedly being unpatentable in view of Okano and Mauney. This rejection is respectfully traversed.

Claim 11 as amended specifically recites:

“a user interface mechanism configured to display a status of the RF device and a software enabled switch on a touch-sensitive screen, providing the user with an option to continue with the program requiring RF capabilities and automatically enable the RF device or discontinue the program requiring RF capabilities without enabling the RF device; and

an RF alarm mechanism configured to identify a program that is previously invoked that requires the RF capabilities of the RF capable device, wherein upon identifying the program, the RF alarm mechanism wakes the notification mechanism from a “sleep” mode and the notification mechanism checks the enablement status of the RF device using said check mechanism, and if the RF device is not enabled, the notifications mechanism invokes the user interface mechanism.”

The claimed invention recites a switch displayed on the device. Specifically, a user interface provides the user with a software enabled switch on a touch-sensitive screen to choose whether to continue a program requiring RF capabilities. As a result, the notification mechanism provides the user with a switch in a larger, easy to read viewing environment,

reducing the likelihood that users operate the switch mistakenly, either caused by confusion of context or by pressing the unintended button. Similar to the discussion above regarding to claim 1, alone or in combination, Okano and Mauney do not disclose the claimed element of software enabled switch and they do not disclose such a claim element with respect to a touch-sensitive screen.

Further, similar to the claimed element of a notification program in claim 2, when a RF device is disabled the user interface mechanism notifies the user before the device continues with the program requiring RF capabilities. As a result, the method provides a benefit of providing the user a timely notice so that the user is given a mechanism to elect whether to either discontinue the program requiring RF capabilities or enable the RF device.

Examiner points to col. 5, lines 3-34 of Okano for teaching of such a mechanism. However, the cited section of Okano only discloses that when the timer finishes counting down the transmission-suspended period, the control circuit uses the display section to visually indicate that the time is up, and the user can choose to continue or discontinue the suspension. That is, the indication has nothing to do with a program requiring control over RF capabilities. Thus, Okano does not disclose the claimed element of a user interface mechanism configured to display a status of the RF device and provide the user with an option to continue with the program requiring RF capabilities and automatically enable the RF device or discontinue the program requiring RF capabilities without enabling the RF device. Similar to the discussion above regarding to claim 2, alone or in combination, Okano and Mauney do not disclose the claimed element of user interface. Therefore, it is respectfully submitted that claim 11 is patentably distinguishable over Okano and Mauney.

Referring to claim 12, it specifically recites:

“identifying the invocation of a mechanism requiring access to the RF capabilities; ...

if the RF device is not enabled: prompting a user of the device if the mechanism is to be granted RF access.”

Similar to the claimed element of a notification program in claim 2, here the method prompts the user upon identifying that the mechanism requires access to the RF capabilities when the RF device is disabled. As a result, the method provides the benefit of providing the user a timely notice so that the user can decide whether the mechanism requiring access to the RF capabilities is to be granted RF access.

Examiner points to col. 5, lines 3-34 Okano for teaching of such claimed element of prompting. As shown above regarding claim 11, Okano does not disclose the claimed element of prompting the user of the device if the mechanism is to be granted RF access. Rather, it merely shows that when the timer finishes counting down the transmission-suspended period, the control circuit uses the display section to visually indicate that the time is up, and the user can choose to continue or discontinue the suspension. Thus, Okano does not disclose the claimed element of prompting.

Further, as discussed previously in regard to claim 2, Okano and Mauney do not disclose the claimed element of prompting. Therefore, it is respectfully submitted that claim 12 is patentably distinguishable over Okano and Mauney.

Based on the above Remarks, Applicants respectfully submit that for at least these reasons claims 11 and 12 are patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

In the 2nd paragraph of the Office Action, Examiner rejects claims 15-20 under 35 USC § 103(a) as allegedly being unpatentable in view of Okano and Mauney. This rejection is respectfully traversed. Because claims 15 and 16 are dependent on claim 13, all arguments advanced above with respect to claim 13 are hereby incorporated so as to apply to claims 15 and 16. Because claim 17 is dependent on claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claim 17. Because claim 18 is dependent on claim 2, all arguments advanced above with respect to claim 2 are hereby incorporated so as to apply to claim 18. Because claim 19 is dependent on claim 11, all arguments advanced above with respect to claim 11 are hereby incorporated so as to apply to claim 19. Because claim 20 is dependent on claim 12, all arguments advanced above with respect to claim 12 are hereby incorporated so as to apply to claim 20. Therefore, it is respectfully submitted that claims 15-20 are patentably distinguishable over Okano and Mauney.

Response to Rejection Under 35 USC 103(a) in View of Okano, Mauney and Graham

In the 4th paragraph of the Office Action, Examiner rejects claims 6-8 under 35 USC § 103(a) as allegedly being unpatentable over Okano and Mauney in view of EP 817 447 A1 to Graham (“Graham”). This rejection is respectfully traversed.

Because dependent claims 6-8 are dependent on claim 1, claims 6-8 disclose all elements of claim 1, including “a software enabled switch displayed on the device screen for enabling and disabling the radio unit.” As stated above, alone or in combination, Okano and Mauney do not disclose the claimed software enabled switch displayed on the device screen for enabling and disabling the radio unit.

Graham, like Okano and Mauney, does not disclose or suggest the claimed element of a software enabled switch displayed on the device screen for enabling and disabling the radio unit. Rather, in contrast to the claimed invention, Graham discloses a control means to operate a telephone menu using a single key in the keypad. (Graham, col. 3, lines 15-45).

The combination of Graham, Okano and Mauney likewise fails to disclose or suggest the claimed switch displayed on the device screen. As discussed above, the claimed switch displayed on the device screen is not disclosed in any one of the three references. Even if the three references arguably could be combined, at best the combination provides a switch on the keypad for enabling and disabling the radio unit, which is conventional and not what Applicants claim.

Thus, alone or in combination, Okano, Mauney, and Graham do not disclose the claimed software enabled switch displayed on the device screen for enabling and disabling the radio unit. Based on the above Remarks, Applicants respectfully submit that for at least these reasons claims 6-8 also are patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection to these claims, and withdraw it.

Conclusion

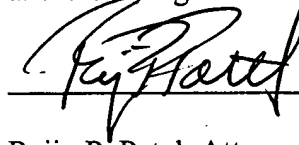
In sum, Applicants respectfully submit that claims 1 through 20, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
Craig S. Skinner, John Brown, Mindy Chahel
and Lisa King

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By:



Rajiv P. Patel, Attorney of Record
Registration No.: 39,327
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7607
Fax: (650) 938-5200